

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BAO XUYEN LE, as Personal
Representative of the Estate of Tommy Le;
HOAI “SUNNY” LE; and DIEU HO

Plaintiffs,

v.

REVEREND DR. MARTIN LUTHER
KING, JR. COUNTY; and KING
COUNTY DEPUTY SHERIFF CESAR
MOLINA,

Defendants.

C18-55 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) The United States Court of Appeals for the Ninth Circuit having issued its mandate on July 14, 2020, the stay imposed by the Order entered June 4, 2019, docket no. 209, is hereby LIFTED, and this case is returned to the Court’s active docket.

(2) The parties are DIRECTED to file a Joint Status Report, on or before **September 18, 2020**, addressing the following matters: (i) what additional discovery, if any, is needed, and when can discovery be completed; (ii) whether trial should be bifurcated in some manner, for example, liability in phase one and damages in phase two; (iii) whether any portion of the case should be tried to the bench, rather than a jury; (iv) in connection with any jury trial, how many prospective jurors should be summoned, whether voir dire may be conducted remotely, and whether the parties agree to a non-unanimous verdict; (v) when the parties will be ready for trial, and how long will any trial likely last; and (vi) any other issues that might affect the case schedule.

1 (3) A telephonic scheduling conference is SET for **September 24, 2020, at**
2 **10:30 a.m.** Counsel will be provided dialing instructions and an access code via email.

3 (4) Plaintiffs shall electronically file their Third Amended Complaint on or
4 before **July 31, 2020**. The Third Amended Complaint shall be in a form that is consistent
5 with the Minute Order entered December 2, 2019, docket no. 221, and the Court's prior
6 rulings. Specifically, the Third Amended Complaint may plead a claim of negligence,
7 but no other **new** cause of action, and shall not allege any claims that were previously
8 dismissed. Any responsive pleading or motion shall be filed on or before **August 20,**
9 **2020**.

6 (5) The Clerk is directed to send a copy of this Minute Order to all counsel of
7 record.

8 Dated this 16th day of July, 2020.

9 William M. McCool
10 Clerk

11 s/Karen Dews
12 Deputy Clerk